



Group 1808

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: the Application of:

KELLER ET AL.

Serial No.: 08/343,686

Filed: November 21, 1994

Atty. File No.: 2879-26

For: "NOVEL EMBRYONIC CELL
POPULATIONS AND METHODS TO
ISOLATE SUCH POPULATIONS"

Assistant Commissioner for Patents
Washington, D.C. 20231

Group Art Unit:

Examiner:

RESPONSE TO
RESTRICTION REQUIREMENT

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO
ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC
20231 ON THIS 2nd DAY OF MAY, 1996

SHERIDAN ROSS & MCINTOSH

BY: Brenda Carpenter

Dear Sir:

In an Office Action dated April 2, 1996, the Examiner issued a 'Restriction' Requirement with regard to the above-identified patent application. Generally, the Examiner indicated that Claims 1-12; 13-26; 27-59; 60-72; 73-79; 80-83; 84-85; 86-96; and 97-106 were distinct inventions. Applicants hereby elect, with traverse, to prosecute Claims 27-59, Group II, in this patent application. However, Applicants respectfully reserve the right to pursue all remaining claims in subsequent divisional/continuation applications.

Applicants respectfully submit that the entire application could be searched and examined together without undue burden to the Examiner. For this reason, and because the restriction requirement serves to increase the expense to Applicants and to the Patent and Trademark Office, Applicants respectfully submit that, pursuant to the Commissioner's notice of April 9, 1975, 930 O.G. 450, and

M.P.E.P. §803, the restriction requirement should be withdrawn,
without regard to distinctness of the claims.

Respectfully submitted,

SHERIDAN ROSS & MCINTOSH

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